

10-30-03
APPROVED

Express Mail No. EV337286769US

Deposited on: October 29, 2003

PTO DEPOSIT ACCOUNT CHARGE
ACCOUNT #04-1700

PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031
DUNLAP, U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/046,323

Filing Date 01/14/2002

First Named Inventor Martin A. Cotton

Group Art Unit 2827

Examiner Name J. Norris

Attorney Docket Number 8245.035

ENCLOSURES (check all that apply)

Fee Transmittal Form

Fee Attached

Amendment / Reply

After Final

Affidavits/declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)

Drawing(s)

Licensing-related Papers

Petition

Petition to Convert to a Provisional Application

Power of Attorney, Revocation Change of Correspondence Address

Terminal Disclaimer

Request for Refund

CD, Number of CD(s) _____

After Allowance Communication to Group

Appeal Communication to Board of Appeals and Interferences

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

Proprietary Information

Status Letter

Other Enclosure(s) (please identify below):

See remarks below:

Remarks

1. Petition to the Commissioner Under 37 C.F.R. 1.181 (2 pages);
2. Transmittal Form (1 page);
3. Fee Transmittal (1 page); and
4. Postcard.

RECEIVED
NOV - 3 2003
TECHNOLOGY CENTER 1800

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name DUNLAP, CODDING & ROGERS, P.C., Customer Number 30589
P. O. Box 16370, Oklahoma City, Oklahoma 73113, Marc A. Brockhaus

Signature *Marc Brockhaus*

Date 10-29-2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. EV337286769US in an envelope addressed to the address below on this date:

October 29, 2003

Typed or printed name Marc A. Brockhaus, Reg. No. 40,923

Signature *Marc Brockhaus*

Date 10-29-2003

SEND TO: Mail Stop Petitions
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450



Express Mail No.:

Date Mailed:

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martin A. Cotton) Atty. Dkt. No. 2654-015
Serial No.: 10/046,323)
Filed: January 14, 2002) Examiner: J. Norris
For: EMBEDDED WAVEGUIDE) Art Unit No. 2827
AND EMBEDDED) Confirmation No. 2812
ELECTROMAGNETIC)
SHIELDING)

Attention: Office of Petitions
Commissioner for Patents
Box DAC
Washington, D. C. 20231

RECEIVED
NOV - 3 2003
TECHNOLOGY CENTER 2800

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. 1.181

Applicant hereby petitions the Commissioner of Patent and Trademarks under 37 C.F.R. 1.181(a)(2) in the above-identified application whereby the statute or the rules specify that the matter is to be determined directly by or reviewed by the Commissioner. A Notice of Abandonment for the above-identified application was mailed on October 10, 2003. Applicant respectfully contends that the application is not in fact abandoned and respectfully requests withdrawal of the holding of abandonment.

STATEMENT OF FACTS

The above-identified application was filed on January 14, 2002, and was recently transferred to our law firm from Kevin L. Pontius of Roberts, Abokhair & Mardula, LLC. The Examiner called Mr. Pontius to inquire as to whether Applicant intended to abandon the application; however, Mr. Pontius directed the Examiner to myself. I did not receive a phone call from the Examiner regarding any matter relating to this application. Enclosed herewith is a copy of the letter received from Mr. Pontius regarding his conversation with the Examiner.

Our law firm received a Notice of Abandonment mailed October 10, 2003. In response to the Office Action mailed March 17, 2003, a timely response was filed on September 17, 2003, along with a Petition for Extension of Three months of time under 37 C.F.R 1.136(a). A copy of the post card is attached for your convenience. Also enclosed herewith is a copy of the Notice of Abandonment. Accordingly, Applicant respectfully

submits that a timely reply was filed on September 17, 2003; therefore, the above-identified application is not abandoned.

SUMMARY

In view of the above, Applicant respectfully requests withdrawal of the holding of abandonment.

Respectfully submitted,

Marc Brockhaus

Marc A. Brockhaus, Reg No. 40,923
DUNLAP, CODDING & ROGERS, P.C.
1601 NW Expressway, Suite 1000
Oklahoma City, Oklahoma 73118-1467
Telephone No. (405) 607-8600
Fax No. (405) 607-8686

Attorney for Applicant



October 16, 2003

VIA FEDERAL EXPRESS COURIER

G. Neal Rogers, Esq.
Managing Director
Dunlap Codding & Rogers, P.C.
1601 NW Expressway, Suite 1000
Oklahoma City, OK 73118

DUNLAP, CODDING
& ROGERS, P.C.

OCT 17 2003
Fed Exp

RE: *Notice of Abandonment*
Title: *Embedded Waveguide and Embedded Electromagnetic Shielding*
PTO appln. no.: 10/046,323

Dear Mr. Rogers:

We received a Notice of Abandonment from the U.S. Patent and Trademark Office (PTO) in connection with the above-referenced application of VIASYSTEMS GROUP, INC. The original document is enclosed herewith. Please note that we are not retaining any copies of this communication. We will not docket any due dates, which may be associated with this matter.

In the Notice of Abandonment the Examiner implies that I confirmed in a telephone conference that the application was to be abandoned. The Examiner did call me to inquire about whether Applicant intended to abandon the application, but since I had no information to give him I referred him to Marc Brockhaus of your firm. I called Mr. Brockhaus yesterday to check on this suspicious Notice of Abandonment and he indicated that indeed a reply to the Office Action was timely filed. Thus, a petition for withdrawal of the holding of abandonment appears to be needed.

Should you have any questions please do not hesitate to contact me.

Very truly yours,

ROBERTS ABOKHAIR & MARDULA, LLC

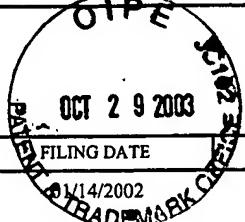
Kevin L. Pontius

RECEIVED
NOV -3 2003
TECHNOLOGY CENTER 2800

KLP/nvh
Enclosure
cc: Daniel J. Weber



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,323	10/14/2002	Martin A. Cotton	2654-015	2812

7590 10/08/2003

Kevin L. Pontius
Roberts Abokhair & Mardula, LLC
Suite 1000
11800 Sunrise Valley Drive
Reston, VA 20191-5302

RECEIVED
OCT - 9 2003

BY: _____

DOCKETED
mh

DATE MAILED: 10/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

DUNLAP, CODDING
& ROGERS, P.C.

OCT 17 2003

7654-015
REVIEWED
10/19/03
transferred

DUNLAP, CODDING
& ROGERS, P.C.

OCT 17 2003
filed exp

RECEIVED
NOV - 3 2003
TECHNOLOGY CENTER 2800



Notice of Abandonment	Application No.	Applicant(s)
	10/046,323	COTTON, MARTIN A.
	Examiner	Art Unit
	Jeremy C. Norris	2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on 17 March 2003.
 - (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

A call was placed to the office of Mr. Kevin Pontius to confirm that the application had indeed been abandoned.


EVAN PERT
 PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

RECEIVED
NOV - 3 2003
TECHNOLOGY CENTER 2800

MAIL STOP FEE AMENDMENT
COMMISSIONER FOR PATENTS

P.O. Box 1450
ALEXANDRIA, VA 22313-1450

Applicant: Martin A. Cotton
Serial No.: 10/046,323
Filed: January 14, 2002

Title: Express Mail No. EV318424825US; Customer No. 30589

Atty. Dkt. No. 8245.035
Art Unit No.: 2827
Examiner: Jeremy C. Norris
PATENT & TRADEMARK OFFICE
EMBEDDED WAVEGUIDE AND EMBEDDED ELECTROMAGNETIC SHIELDING

Please acknowledge receipt of the following by stamping this card with the date received and returning:

1. Response (13 pages);
2. Three (3) month Petition for Extension of time under 37 CFR 1.136(a) (1 page);
3. Transmittal Form (1 page);
4. Fee Transmittal (1 page); and
5. Postcard.

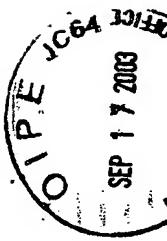
PTO has withdrawal authorization from Deposit Account in the total amount of \$930.00:

Marc A. Brockhaus, Reg. No. 40,923

September 17, 2003

M:GENERAL\8245\Viasytems\8245.035\8245.035-Postcard Response.wpd

PATENT



NOV - 3 2003

TECHNOLOGY CENTER 2800

RECEIVED